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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BRADLEY COLGATE, an individual, and
KAYTLIN MCKNIGHT, an individual, on
behalf of themselves, the general public, and
those similarly situated,

Plaintiffs,

v.

JUUL LABS, INC.

Defendant.

CASE NO. 4:18-cv-02499-WHO

**STIPULATION TO EXTEND
BRIEFING SCHEDULE ON
DEFENDANTS' RULE 12 MOTIONS
AND ORDER THEREON**

Honorable William H. Orrick

Action filed: April 26, 2018

WHEREAS, on July 24, 2018, Defendant Juul Labs, Inc. (“Defendant”) filed a 34-page motion to dismiss Plaintiffs’ First Amended Complaint (Dkt. 40) and a 24-page motion to strike Plaintiffs’ nationwide class allegations (Dkt. 41);

WHEREAS, on June 22, 2018, the parties had stipulated that the deadline for Defendant to respond to the first amended complaint be extended from July 10, 2018 until July 24, 2018; that Plaintiffs’ opposition papers be due on or before August 14, 2018; and that Defendants’ reply papers be due on or before August 28, 2018, but did not set any date for hearing the motion (Dkt. 27);

WHEREAS the June 22, 2018 stipulation did not include a proposed order and no order was issued thereon;

WHEREAS, on July 17, 2018, at request of Defendant, the parties stipulated that Defendant be granted leave to exceed the 25-page limit for the prospective motion to dismiss by up to 10 pages, and that Plaintiffs be granted the same number of extra pages for their opposition to said motion, and the court so ordered (Dkt. 39);

WHEREAS, Defendant set the hearing for the motion to dismiss and the motion to strike for September 5, 2018;

WHEREAS, Plaintiffs require more time than was anticipated at the time of the June 22 stipulation to respond to the motion to dismiss in light of its length, as well as to respond to the separate motion to strike;

WHEREAS, given the complexity of the briefing and other existing commitments, Defendants also request an additional week (for a total of three weeks) to file their replies;

WHEREAS, no other extensions have been granted, no trial date has been set, and a further extension of the briefing schedule and hearing will not cause prejudice to any party or the Court;

NOW THEREFORE, the Parties stipulate as follows:

1. Plaintiffs’ deadline to respond to the motion to dismiss and motion to strike (Dkts. 40-41) shall be extended to August 22, 2018;

2. Defendants' deadline to file reply papers in support of said motions shall be extended to September 12, 2018;

3. The hearing on said motions shall be reset for September 26, 2018, at 2:00 p.m., or such other time as the Court is next available.

IT IS SO STIPULATED.

Dated: August 3, 2018

GUTRIDE SAFIER LLP

/s/ Adam J. Gutride
Adam J. Gutride

Counsel for Plaintiffs

Dated: August 3, 2018

GIBSON DUNN & CRUTCHER LLP

/s/ Austin J. Schwing
Austin J. Schwing

Counsel for Defendant

Local Rule 5-1(i)(3) Certification

I, Adam Gutride, attest that I have received authority from each other signatory to file this document.

GUTRIDE SAFIER LLP

/s/ Adam J. Gutride
Adam J. Gutride


Counsel for Plaintiffs

Based on the parties' stipulation, and FOR GOOD CAUSE SHOWN, it is ordered as follows:

1. Plaintiffs' deadline to respond to the motion to dismiss and motion to strike (Dkt. 40-41) shall be extended to August 22, 2018;
2. Defendants' deadline to file reply papers in support of said motions shall be extended to September 12, 2018;
3. The hearing on said motions shall be reset for September 26, 2018, at 2:00 p.m.

IT IS SO ORDERED.

Dated: August 7, 2018



Hon. William H. Orrick
United States District Judge